

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02531-BNB

TRACEY D. DIGHTMAN,

Plaintiff,

v.

TEXAS DEPT. OF PUBLIC SAFETY, and  
KIOWA COUNTY, CO DISTRICT ATTY, et al.,

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO  
**DEC -2 2010**  
**GREGORY C. LANGHAM**  
CLERK

---

ORDER OF DISMISSAL

---

Plaintiff, Tracey Dightman, initiated this action by filing *pro se* a Complaint in the United States District Court for the Northern District of Texas on October 6, 2010. Mr. Dightman also filed a "Motion to Proceed in Forma Pauperis." The action was transferred to this Court by Order dated October 14, 2010, pursuant to 28 U.S.C. § 1406(a). The federal district court in Texas did not rule on Mr. Dightman's motion to proceed in forma pauperis.

In an order filed on October 22, 2010, Magistrate Judge Boyd N. Boland ordered Mr. Dightman to cure certain enumerated deficiencies in this case within thirty days. Specifically, Mr. Dightman was directed to submit a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 on the court-approved form, along with a notarized affidavit. Mr. Dightman was further directed to submit a Complaint on the court-approved form. The October 22 Order warned Mr. Dightman that if he failed to

cure the designated deficiencies within the time allowed, the action would be dismissed without further notice.

Mr. Dightman has not filed any documents in this action since his case was transferred to this Court. Therefore, Mr. Dightman has failed to cure the designated deficiencies within the time allowed. Accordingly, it is

ORDERED that the action be dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Tracey D. Dightman, to comply with the order to cure dated October 22, 2010.

DATED at Denver, Colorado, this 2<sup>nd</sup> day of December,  
2010.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-02531-BNB

Tracey D. Dightman  
3507 Utah Avenue  
Dallas, TX 75216

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to  
the above-named individuals on 12/2/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk